

J1000 U.S. PTO

02-25-02

A

Practitioner's Docket No. 5699-11

PATENT

Preliminary Classification:
Proposed Class:
Subclass:

jc971 U.S. PRO
10/081120
02/22/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231**

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): James W. Forbes

For (title): Railroad Car with Cantilevered Articulation

1. Type of Application

This transmittal is for a continuation application.

CERTIFICATION UNDER 37 C.F.R. § 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner of Patents, Washington D.C. 20231
37 CFR 1.8a

with sufficient postage as first class mail. as "Express Mail Post Office to Addressee" Mailing Label No. EL829634580US.

facsimile transmitted to the Patent and Trademark Office, 703

TRANSMISSION

- TRANSMISSION**

Date: February 22, 2002

Michelle E. Higar

Michelle E. Hujar

Type or print name of person certifying

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

2. Benefit of Prior U.S. Application (35 U.S.C. Sections 119(e), 120, or 121)

The new application being transmitted claims the benefit of prior U.S. application. Enclosed are
ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S.
APPLICATION CLAIMED.

3. Papers Enclosed

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design)
Application

34 Page(s) of Specification

10 Page(s) of Claims

19 Sheet(s) of Drawing(s)--Informal

B. Other Papers Enclosed

1 Page(s) of abstract

4. Declaration or Oath

Not Enclosed.

Application is made by a person authorized under 37 C.F.R. Section 1.41(c) on
behalf of the above-named inventor.

5. Inventorship Statement

The inventorship for all the claims in this application is the same.

6. Language

English

7. Assignment

An assignment of the invention to National Steel Car Limited will follow.

8. Fee Calculation (37 C.F.R. Section 1.16)

Regular Application

CLAIMS AS FILED

Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$710.00
Total Claims (37 CFR 1.16(c))	56	- 20 =	36 x	\$18.00	\$648.00
Independent Claims (37 CFR 1.16(b))	6	- 3 =	3 x	\$80.00	\$240.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$270.00	\$0.00
Filing Fee Calculation					\$1,598.00

9. Fee Payment Being Made at This Time

Not Enclosed

No filing fee is to be paid at this time.

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF
PRIOR U.S. APPLICATION CLAIMED**

10. Relate Back

Amend the specification by inserting, before the first line, the following sentence:

A. 35 U.S.C. Sections 120, 121 and 365(c)

"This application is a

continuation

of co pending application

Application number 09/614,815 filed on July 12, 2000.

11. Maintenance of Co pendency of Prior Application

A. Conditional Petition for Extension of Time in Prior Application

A conditional petition for extension of time is being filed in the pending **prior** application.

A **copy** of the conditional petition filed in the prior application is attached.

12. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed

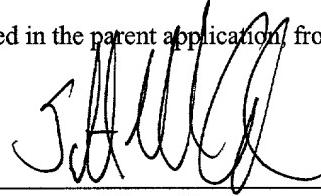
- a. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor in this application is the same.

13. Abandonment of Prior Application

Please abandon the prior application at a time while the prior application is pending, or when the petition for extension of time or to revive in that application is granted, and when this application is granted a filing date, so as to make this application co pending with said prior application.

14. NOTIFICATION IN PARENT APPLICATION OF THIS FILING

A notification of the filing of this continuation is being filed in the parent application from which this application claims priority under 35 U.S.C. Section 120.



Signature of Practitioner

Reg. No.: 32,712
Tel. No.: 330-864-5550
Customer No.: 021324

Scott M. Oldham
Hahn Loeser + Parks
Twin Oaks Estate
1225 W. Market Street
Akron, OH 44313

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: James W. Forbes

Application No.: 09/614,815 Group No.: 3617
Filed: July 12, 2000 Examiner: Jules, F.
For: Railroad Car with Cantilevered Articulation

Assistant Commissioner for Patents
Washington, D.C. 20231

**CONDITIONAL PETITION AND FEE FOR EXTENSION OF TIME
IN PARENT CASE THAT IS TO BE ABANDONED
WHEN FILING NEW APPLICATION CLAIMING ITS BENEFIT**

1. This conditional petition is being filed along with the separately filed Continuation and provides for the possibility that applicant has inadvertently overlooked the need or a petition and fee for extension of time.

CERTIFICATION UNDER 37 C.F.R. sections 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. section 1.8(a)

37 C.F.R. section 1.10*

- with sufficient postage as first class mail. as "Express Mail Post Office to Address"
Mailing Label No. _____ (**mandatory**)

TRANSMISSION

- transmitted by facsimile to the Patent and Trademark Office.

Date: February 22, 2002

Michelle E. Hujar
michelle E. Hujar

A copy of this petition is being filed with the papers constituting the filing of the separately filed application.

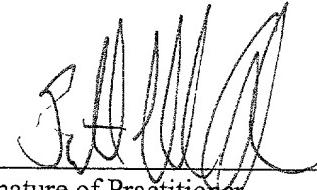
If any extension of time for the accompanying response is required, applicant requests that this be considered a petition therefor.

2. Status

This application is on behalf of other than a small entity.

3. Authorization for payment of fees

The Commissioner is authorized to charge any fees under 37 C.F.R. section 1.17 (a) to (d) that may be required by this Conditional Petition to Account 15-0450. A duplicate of this Conditional Petition is attached.



Signature of Practitioner

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